



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, February 23, 2006, 7:30 p.m.
777 B Street, Hayward, CA 94541**

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chair Thnay followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS: Lavelle, McKillop, Bogue, Peixoto, Zermeno
CHAIRPERSON: Thnay
Absent: COMMISSIONER: Sacks

Staff Members Present: Conneely, Fakhrai, Patenaude, Pearson, Lens

General Public Present: Approximately 8

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

1. I. **General Plan Amendment Application No. PL-2005-0619** – Request to Change the General Plan Land Use Designation from Mixed Industrial to High-Density Residential
- II. **Zone Change Application No. PL-2005-0620** – Request to Amend the Zoning District from Industrial (I) to High Density Residential (RH)
- III. **Site Plan Review Application No. PL-2005-0621** – Request to Construct 78 Affordable Family Apartments
- IV. **Parking Exception Application No. PL-2005-0622** – Request to Reduce the Required Number of Parking Spaces from 157 to 141
- V. **To Vacate a Portion of Saklan Road Right-of-Way**

Eden Housing, Inc. (Applicant) / Hans Kruger (Owner)

The Project Site is Located at 22958 Saklan Road at the Northeast Corner of North Lane

Staff report submitted by Associate Planner Pearson, dated February 23, 2006, was filed.

At the request of Chair Thnay, Acting Planning Manager Patenaude provided preliminary information about the revised conditions of approval.

Associate Planner Pearson presented the staff report indicating revisions to conditions of approval, which included revised elevations that change three units from two-bedroom to three-bedroom units. He mentioned the elimination of Condition of Approval No. 4 j) regarding a requirement for an automatic gate on Sakland Road driveway, as this will be emergency vehicle access only; and removal of Condition of Approval No. 75, regarding relocation of the water line in Saklan Road as it will not be necessary because the water line would remain under a sidewalk and would not be in the way of planting street trees. Additional materials included e-mails from a neighbor in the area regarding lack of mid-day bus service to the proposed area and inadequate service for a residential project. Mr. Pearson stated that although there is an interruption of mid-day service to the heart of the industrial area, the existing bus service provides a mid-day service between the project's site and downtown. He also referred to a letter from the Department of Transportation, Division of Aeronautics and indicated that the project will comply with the recommendations made in the letter.

In regards to offsite improvements, Deputy Public Works Director Fakhrai mentioned that since the proposed project is part of the Mt. Eden Annexation District, the cost sharing for improvements on North Lane and Saklan Road will be determined prior to Council approval.

In response to Commissioner Lavelle, Associate Planner Pearson clarified the agreement with the Department of Toxic Substances Control regarding the soil contamination. He also clarified that the project is exempt from the requirement to pay park in-lieu fees.

Commissioner Zermeño recommended that Condition of Approval No. 8, regarding graffiti removal, be included as a separate condition to enforce the current efforts.

In reference to Commissioner Bogue's inquiry regarding Condition of Approval No. 17, and the reasoning for the preference for timber bamboo planting, Associate Planner Pearson indicated that it is a solution for the limited space and provides sufficient screening. He also asked for clarification on the garbage enclosures.

At the request of Commissioner Peixoto, Associate Planner Pearson gave the distribution of the number of affordable units and the corresponding projects that will use this proposal to satisfy requirements of the Inclusionary Housing Ordinance. He also clarified that most of the buildings have three stories. In regard to indoor noise levels, he clarified that the project is lower than the maximum 60 dB.

Chair Thnay opened the public hearing at 7:59 p.m.

Ms. Katie Lamont, Eden Housing developer, thanked the commissioners for considering the proposed application and addressed some of the questions raised. In regard to the level of soil and groundwater contamination at the site, Ms. Lamont expressed confidence that the cleanup will be deemed sufficient and safe for future residential use. She added that it is anticipated that the cleanup will be completed in September, and in construction in December. She stated that Eden Housing's standard for graffiti removal is 24 hours. In regards to timber bamboo along the rear property line, she stated that it will be re-visited and looked at carefully when getting building



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permits. Furthermore, she mentioned that the trash enclosure design with a separation with a walk through is to keep people out of the trash enclosure for safety reasons. She mentioned that she would like to convert the half baths proposed on the second plan to full bathrooms.

In regards to Commissioner Lavelle's inquiry regarding bike racks and motorcycle spaces, Ms. Lamont stated that the project has not included them, but it is something that can be incorporated. In regards to affordability for people likely to live at the proposed site, Ms. Lamont mentioned incomes for working residents. She mentioned that when working with federal funding, the pool of applicants can not be demographically restricted and also mentioned that they will consider the inclusionary ordinance. She added that there will be one on-site full time property manager that will live at the site.

Principal Planner Patenaude mentioned that according to an internet search, there are some timber bamboos that can fit at the proposed location.

Chair Thnay echoed Commissioner's Lavelle comment regarding the need for bike racks to compensate for the reduction of parking requirements. He also recommended proper storage for bikes.

Mr. Chris Texter, architect for the applicant, mentioned that it is being proposed that two units have exterior closets for bike storage adjacent or in the units. In reference to mail boxes, he mentioned that the proposal is to include them on the exterior of the community building, near the office.

Mr. John Kyle referenced two e-mails previously distributed to the commissioners and clarified that information regarding the bus schedule for line 86 was inaccurate. His concerns centered on lack of participation by the Hayward Unified School District stakeholders and inadequate bus service for school children from the proposed project to the schools and for prospective residents. He recommended that the applicant provide adequate bus service to serve school children and prospective residents of the proposed project.

Chair Thnay closed the public hearing at 8:30 p.m.

Commissioner Lavelle made a motion to recommend the application to City Council as recommended by staff. Commissioner Zermeno seconded the motion.

Commissioner McKillop commended Eden Housing for an outstanding project.

Commissioner Zermeno concurred with a good project done by Eden Housing.

Commissioner Bogue supported the motion indicating that the parking exception for the proposed project makes sense.

Commissioner Peixoto, in consideration of Mr. Kyle's comments, mentioned that the Hayward Unified School District should be involved in the decision making process for the proposed project. He supported the motion because Eden Housing presented a satisfying project which includes accommodations for employment, training, and counseling activities for the community.

Chair Thnay suggested that staff work with the applicant to include public art to the project in order to enhance the area and perhaps add a public monument. He also would like the bus concern explored further in order to serve the students and also contact AC Transit to mitigate existing issues. He showed confidence for the parking exception and commended the applicant for their commitment to Hayward.

Commissioner Lavelle moved, seconded by Commissioner Zermeño, and approved with Commissioner Sacks absent, to recommend that the City Council approve the Mitigated Monitoring Program, the General Plan amendment to High-Density Residential, the Zone Change to High Density Residential (RH), the Site Plan Review application and the parking exception; and that the Planning Commission find that the vacation of a portion of Saklan Road is consistent with the General Plan, subject to the revised findings and conditions of approval.

ADDITIONAL MATTERS

4. Oral Reports on Planning and Zoning Matters

Acting Planning Manager Patenaude reported that the KB Homes Dutra Project will be heard on March 16. He also announced that he will be out of the office for three weeks and David Rizk will be acting in his stead.

5. Commissioners' Announcements, Referrals

Commissioner Bogue thanked staff for efforts in helping with the removal of graffiti on Burlington Factory.

Chair Thnay recommended a website with photographs of store frontages, a9map.com. He also reported on graffiti on Industrial Parkway, near Mission Golf Course.

APPROVAL OF MINUTES

Minutes of February 9, 2006 were approved.

ADJOURNMENT

Chair Thnay adjourned the meeting at 8:41p.m.

APPROVED:

Marvin Peixoto, Secretary
Planning Commission

ATTEST:



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Miriam Lens
Commission Secretary